

1 **WAKANAKISING ODAWAK STATUTE\_\_\_\_\_**

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3 **AMENDMENT TO WAGANAKISING ODAWAK STATUTE 2008-001**  
4 **ADMINISTRATIVE PROCEDURES STATUTE**  
5

6 **REPEAL :**  
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8 **SECTION XI. TRIBAL RESOLUTIONS**  
9

10 **A.** In accordance with the Tribal Constitution, Article VII (D)(1), Resolutions carry  
11 the force of law and shall be sent to the Executive for signature.  
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13 **B.** Certification. Proof of passage of a Tribal Resolution shall be by written  
14 certification signed by both the Tribal Legislative Leader and the Tribal Secretary. The  
15 certification shall state at a minimum the date of passage, that a quorum of the Council  
16 was present, and a roll call record of the vote.  
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18 **C.** Submission to Executive. Upon passage and certification of Tribal Resolutions  
19 by the Tribal Council, the Tribal Council Secretary or designee shall send the certified  
20 original to the Executive for signature. Tribal Resolutions shall be enacted into law upon  
21 approval by signature of the Executive, or if not expressly vetoed by the Executive within  
22 thirty (30) days of submission. If expressly vetoed by written signature of the Executive  
23 within thirty (30) days of submission, such vetoed Tribal Resolution shall not become  
24 enacted law unless the Tribal Council, by an affirmative vote of seven (7) members of the  
25 Tribal Council in the same Election Cycle, votes to override a veto by the Executive.  
26

27 **REPLACE WITH:**  
28

29 **SECTION XI. TRIBAL LAW**  
30

31 **A.** In accordance with the Tribal Constitution, Tribal Council passes laws. Laws  
32 shall be in the form of either a Resolution or Statute; or an amendment of the same.  
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34 **B.** Laws that are passed by Tribal Council shall be submitted to the Executive.  
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1           **C.**       Laws shall be deemed enacted if not expressly vetoed by the Executive within  
2 thirty (30) days of submission. The Tribal Council may, by an affirmative vote of seven  
3 (7) members of the Tribal Council, override a veto by the Executive.  
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5           **D.**       Tribal Council will exercise the following Constitutional powers by passing laws:  
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7               **1.**       To exercise Tribal jurisdiction, including civil and criminal authority and  
8 the regulation of commerce.  
9

10              **2.**       To exercise the jurisdiction of the Little Traverse Bay Bands of Odawa  
11 Indians over Indian Child Welfare matters and all other domestic relations  
12 matters.  
13

14              **3.**       To govern the issuance of the Little Traverse Bay Bands of Odawa  
15 Indians charters of incorporation for economic or other purposes, and to regulate  
16 the activities of these corporations;  
17

18              **4.**       To exclude person(s) or other parties from Tribal lands;  
19

20              **5.**       To govern the encumbrance of Tribal lands or other intangible assets,  
21 and the encumbrance and disposition of non-real estate tangible assets;  
22

23              **6.**       To manage any and all economic affairs and enterprises of the Little  
24 Traverse Bay Bands of Odawa Indians that will further the economic  
25 development of the Tribe or its members.  
26

27              **7.**       To set the qualifications for appointees to committees, commissions, and  
28 boards.  
29

30              **8.**       To enact a budget formulation process.  
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32              **9.**       To levy taxes and govern the collection of taxes and license fees.  
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34           **E.**       Resolutions shall be certified by the Legislative Leader and Tribal Council  
35 Secretary that indicates that Resolution was passed at a meeting of Tribal Council where

1 a quorum was present.  
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4 **SECTION XII. TRIBAL MOTION and CERTIFICATION**  
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6 **A.** In accordance with the Tribal Constitution, Tribal Council shall transact official  
7 business by voting only at a meeting where a quorum of five Tribal Council members is  
8 present.  
9

10 **B.** Tribal Council shall transact its official business through the use of voting on  
11 Motions.  
12

13 **C.** Motions shall be made at a Regular, Special or Emergency Meetings, unless  
14 otherwise indicated by the Tribal Constitution.  
15

16 **D.** Votes on Motions must be in person and proxy votes are not allowed unless  
17 otherwise indicated by the Constitution.  
18

19 **E.** All Motions shall be reflected in the minutes indicating the person who made the  
20 motion, the person who seconded the motion and the result of the vote.  
21

22 **F.** Only Motions that have a majority vote of the eligible voting Tribal Council  
23 members shall be considered the official action of the Tribal Council.  
24

25 **G.** The following Tribal Council powers shall be exercised through the use of  
26 Motions:  
27

28 **1.** To approval or disapproval of policies, resolutions and regulations  
29 presented from the Executive branch.  
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31 **2.** To purchase, receive by gift, or otherwise acquiring of land, interests in  
32 land, personal property or other intangible assets.  
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34 To request for lands be placed in trust with the United States.  
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3. To approval of land use plans and zoning of lands.
4. To approval of leases for Tribally owned land and lands held in trust.
5. To approval of all sales, or dispositions of Tribal lands.
6. To employ of legal counsel.
7. To approval of the filing of lawsuits in the name of the Tribe as proposed by the Executive, provided; the Tribal Council may approve the filing of a lawsuit in the name of the Tribe without Executive concurrence by an affirmative vote of six (6) members of the Tribal Council.
8. To establish committees, commissions, and boards, and approve appointments as presented by the Executive.
9. To establish and maintain government offices for the Little Traverse Bay Bands of Odawa Indians.
10. To appropriate funds.
11. To raise revenue.
12. To develop policies for receiving any grants, donations, or other funding from any person, corporation, municipality, government, or other entity.
13. To establish such lower courts as may be deemed necessary upon request from the Judiciary;
14. To approve the creation or dissolution of Executive divisions or departments to promote and protect the peace, health, safety, education, and general welfare, including but not limited to cultural and natural resources.
15. To approve negotiations with any other governments, businesses or individuals.

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**16.** To adopt rules of conduct to govern all levels of Tribal government.

**17.** To establish rules and procedures to provide access for review by any Tribal member or his/her authorized representative, who is a Tribal member, of the records of the Little Traverse Bay Bands of Odawa Indians.

**H.** Motions may be certified by the Legislative Leader and Tribal Council Secretary that indicates that the Motion was passed at a meeting of Tribal Council where a quorum was present.

**SECTION XIII. DELEGATION OF POWERS**

Tribal Council retains those powers that are not expressly delegated.

**CERTIFICATION**